DOCKET NO. END-882NP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Randall S. Hickle et al.

Serial No.: 10/660,286

Art Unit:

Filed

September 11, 2003

Examiner:

For

SYSTEM AND METHOD FOR MONITORING GAS SUPPLY AND

DELIVERING GAS TO PATIENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 2004

(Date of Deposit)

Linda F. Hansen

(Name of applicanty) person mailing, assignee, or Registered Representative)

(Signature)

February arphi 2004

(Date of Signature)

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Randall S. Hickle et al. entitled SYSTEM AND METHOD FOR MONITORING GAS SUPPLY AND DELIVERING GAS TO PATIENT attorney Docket No.END-881NP, to complete, pursuant to Rule 51, this application filed on September 11, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/END-881NP/VEK in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/END-881NP/VEK. This sheet is submitted in triplicate.

Respectfully submitted,

Verne E. Kreger, Jr.

Reg. No. 35,231

Attorney for Applicant(s)

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (513) 337-3295



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Under the Paperwo	rk Reduction Act of 1995, no pers	uns are required t	o respond to a cone	ction of information un	iless il comains a valid	OMB control number.
DEC	LARATION		Attorney Do	cket Number	END 881NP/V	/EK
	AND POWER OF ATTORNEY FOR UTILITY OR DESIGN			Inventor	Randall S. Hid	ckle et al.
				COMPLE	TE IF KNOWN	
	PATENT APPLICATION (37 CFR 1.63)		Application I		10/660,286	
	h [X] Declaration Sub OR Initial Filing (Su	ırcharge	Filing Date		September 11	, 2003
	(37 CFR 1.16(e)	Group Art U	nit	Not yet assign	ned	
			Examiner Na	ame	Not yet assign	ned
As a below named invento	r, I hereby declare tha	t:				
My residence, mailing addre I believe I am the original, fir plural names are listed belov entitled:	st and sole inventor (if o	only one nam	ne is listed belo	ow) or an origin		
SYSTEM AND M	ETHOD FOR MONITO	RING GAS S (Title of the l		DELIVERING (	GAS TO A PATI	ENT
the specification of which						
[ } is attached hereto						
OR						
[x] was filed on <b>09/11/200</b> 3	3 as United States Appli	cation Numb	er 10/660,28	6 and was am	ended on (MM/	DD/YYYY)
I hereby state that I have rev amended by any amendmer			of the above i	dentified specif	ication, includin	g the claims, as
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.						
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.						
Prior Foreign Application Number(s)	Country		Filing Date D/YYYY)	Priority Not Claime		tified Copy ttached? NO
Additional foreign appli	cation numbers are liste	d on a suppl	lemental priori	ty data sheet P	TO/SB/02B atta	ached hereto:

DECLARATION - Utility or Design Patent Application					
I hereby claim the benefit under 35 U.S.C	C. 119(e) of any United States provisional a	pplication(s) listed below.			
Application Number(s)  Filing Date (MM/DD/YYYY)  Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.					
as the subject matter of each of the claims provided by the first paragraph of Title 35, defined in Title 37, Code of Federal Regula national or PCT international filing date of		r United States application in the manner le duty to disclose material information as filing date of the prior application and the			
Application Serial No.	Filing Date	Status			
		Pending			
I hereby appoint:					
Place Customer  Number Bar Code  Label Here					
AND					
Practitioner(s) named below: Name	Registration Number				
as my/our attorney(s) or agent(s) to pros States Patent and Trademark Office con	ecute the application identified above, and nected therewith.	to transact all business in the United			
Address all telephone calls to Verne E. Kreger,	Jr. at telephone number (513) 337-3295.				
	omer Number r Code Label 000027777 OR	☐ Correspondence address below			
Name:					
Address:					
Address:					
City:	State:	ZIP			
Country	Telephone:	Fax:			

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J.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:	☐ A peti	tion has been file	ed for this unsigne	ed inventor	
Given Name Randall S. (first and middle [if any])		Family Name or Surname	Hickle		
Inventor's Signature			Date		
Residence: City Lubbock	State TX	Countr	y USA	Citizenship USA	
Mailing Address 2404 Topeka Avenue					
City Lubbock	State TX	ZIP	79407	Country USA	
I hereby declare that all statements me information and belief are believed to that willful false statements and the lik U.S.C. 1001 and that such willful false issued thereon.	be true; and further t se so made are punis	hat these stat hable by fine	ements were roor imprisonme	made with the knowledge ent, or both, under 18	
NAME OF SECOND INVENTOR:	☐ A peti	tion has been file	ed for this unsigne	ed inventor	
Given Name Samsun (first and middle [if any])		Family Name or Surname	Lampotang		
Inventor's Signature and Title			Date		
Residence: City Gainesville	State FL	Countr	y USA	Citizenship USA	
Mailing Address 3916 S.W. 98th Drive					
City Gainesville	State FL	ZIP	32608	Country USA	
I hereby declare that all statements me information and belief are believed to that willful false statements and the like U.S.C. 1001 and that such willful false issued thereon.	be true; and further t se so made are punis	hat these stat hable by fine	ements were i	made with the knowledge ent, or both, under 18	
NAME OF THIRD INVENTOR:	☐ A peti	tion has been file	ed for this unsigne	ed inventor	
Given Name Paul J. (first and middle [if any])		Family Name or Surname	Niklewski		
Inventor's Signature	W-		Date 2/	5/04	
Residence: City Cincinnati	State OH	Countr	y USA	Citizenship USA	
Mailing Address 3727 Hyde Park Dr	ive				
City Cincinnati	State OH	710	45200	Country LISA	

information and be that willful false sta	lief are believed to tements and the like	be true; and further se so made are pur	r that these sta hishable by fine	atements wei e or imprison	that all statements made on re made with the knowledge ment, or both, under 18 application or any patent
NAME OF FOURTH IN	IVENTOR:	□Ар	etition has been fi	led for this unsi	gned inventor
Given Name (first and middle [if ar	Gregory D.		Family Name or Surname	Bishop	
Inventor's Signature	egoy ) B	iky		Date 02	1-5/-4
Residence: City	Hamilton	State OH	Coun	try USA	Citizenship USA
Mailing Address	6446 Hughes Ridg	e Lane			
City	Hamilton	State OH	ZIP	45011	Country USA



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DEC	LARATION		Attorney Do	cket Number	END 881NP/VE	K
AND POWER OF ATTORNEY FOR UTILITY OR DESIGN			First Named		Randall S. Hickl	le et al.
				COMPLE	TE IF KNOWN	
	PATENT APPLICATION (37 CFR 1.63)		Application I	Number	10/660,286	
<ul><li>Declaration Submitted wit Initial Filing</li></ul>	h [X] Declaration Subi	Filing Date		September 11,	2003	
	(37 CFR 1.16(e)	Group Art U	nit	Not yet assigne	d	
			Examiner N	ame	Not yet assigne	d
As a below named invento	r, I hereby declare that	t:				
My residence, mailing addre I believe I am the original, fir plural names are listed below entitled:	st and sole inventor (if o	nly one nam	ne is listed belo	ow) or an origin		
SYSTEM AND M	ETHOD FOR MONITOR	RING GAS S Title of the I		DELIVERING (	GAS TO A PATIE	NT
the specification of which						
[ ] is attached hereto						
OR						
[x] was filed on 09/11/2003	3 as United States Appli	cation Numb	per 10/660,28	6 and was am	ended on (MM/D	D/YYYY)
I hereby state that I have rev amended by any amendmer			of the above i	dentified specif	ication, including	the claims, as
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.						
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.						
Prior Foreign Application Number(s)	Country		Filing Date D/YYYY)	Priority Not Claime		ied Copy ached? NO
- Number(s)					1 1 1 1 1 1 1	
Additional foreign appli	cation numbers are liste	d on a suppl	lemental priori	ty data sheet P	TO/SB/02B attac	hed hereto:

DECLARATION - Utility or Design Patent Application							
I hereby claim the benefit under 35 U.S.	C. 119(e) of any United States provisional a	polication(s) listed below.					
Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application					
60/410,963	numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.						
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:							
Application Serial No.	Filing Date	Status					
		Pending					
I hereby appoint:							
Practitioners at Customer Number	000027777 →	Place Customer Number Bar Code Label Here					
AND							
Practitioner(s) named below: Name	Registration Number						
as my/our attorney(s) or agent(s) to pros States Patent and Trademark Office con	ecute the application identified above, and the nected therewith.	to transact all business in the United					
Address all telephone calls to Verne E. Kreger,	Jr. at telephone number (513) 337-3295.						
Customer Number  Direct all correspondence to:  or Bar Code Label  000027777  OR  Correspondence address below  Name:							
Address:							
Address:							
City:	State:	ZIP					
Country Telephone: Fax:							

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor Given Name Randall S. Family Name Hickle (first and middle [if any]) or Surname les Hidle Inventor's Eb 3, 2004 Signature Residence: City Lubbock State TX Country USA Citizenship USA Mailing Address 2404 Topeka Avenue Lubbock State TX ZIP 79407 Country I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor Given Name Samsun Family Name Lampotang (first and middle [if any]) or Surname Inventor's Signature and Title Date Residence: City Gainesville State FL Country USA Citizenship USA **Mailing Address** 3916 S.W. 98th Drive Gainesville State FL ZIP 32608 Country I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF THIRD INVENTOR: A petition has been filed for this unsigned inventor **Given Name** Paul J. Family Name Niklewski (first and middle [if any]) or Surname Inventor's Signature Date Residence: City State OH Country USA Cincinnati Citizenship USA **Mailing Address** 3727 Hyde Park Drive State OH ZIP 45209 City Cincinnati Country USA

information and be that willful false st	elief are believed to be atements and the like	e true; and further t so made are punis	hat these stat shable by fine	ements wer or imprison	I that all statements made on re made with the knowledge ment, or both, under 18 application or any patent
NAME OF FOURTH I	NVENTOR:	☐ A peti	tion has been file	ed for this uns	gned inventor
Given Name (first and middle [if a	Gregory D.		Family Name or Surname	Bishop	
Inventor's Signature				Date	
Residence: City	Hamilton	State OH	Countr	y USA	Citizenship USA
Mailing Address	6646 Hughes Ridge	Lane	<del> </del>		
City	Hamilton	State OH	ZIP	45011	Country USA

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# DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted w Initial Filing	vith <b>OR</b>	 Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required	
		(· · · · · · · · · · · · · · · · · · ·	'

Attorney Docket Number	END 881NP/VEK
First Named Inventor	Randall S. Hickle et al.
COMPLE	TE IF KNOWN
Application Number	10/660,286
Filing Date	September 11, 2003
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned

#### As a below named inventor, I hereby declare that:

amended by any amendment specifically referred to above.

the specification of which

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEM AND METHOD FOR MONITORING GAS SUPPLY AND DELIVERING GAS TO A PATIENT (Title of the Invention)

•	•
[] i	is attached hereto
OR	
[x] \	was filed on <b>09/11/2003</b> as United States Application Number <b>10/660,286</b> and was amended on (MM/DD/YYYY)
l here	eby state that I have reviewed and understand the contents of the above identified specification, including the claims,

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certifie Attac	- •
Number(s)				YES	NO

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



### DECLARATION - Utility or Design Patent Application I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below. Application Number(s) Filing Date (MM/DD/YYYY) Additional provisional application numbers are listed on a supplemental priority data sheet 60/410,963 September 16, 2002 PTO/SB/02B attached hereto. I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: Application Serial No. Filing Date Status Pending I hereby appoint: Place Customer Practitioners at Customer Number 000027777 Number Bar Code Label Here AND Practitioner(s) named below: Name Registration Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Address all telephone calls to Verne E. Kreger, Jr. at telephone number (513) 337-3295. **Customer Number** Direct all correspondence to: or Bar Code Label 000027777 OR Correspondence address below Name: Address: Address: City: ZIP State: Country Telephone: Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor **Family Name** Randall S. Hickle Given Name (first and middle [if any]) or Surname Inventor's Date Signature Country USA Citizenship USA Residence: City Lubbock State TX Mailing Address 2404 Topeka Avenue State TX ZIP 79407 Country USA Lubbock I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor Given Name Samsun Family Name Lampotang (first and middle [if any]) or Surname Feb 3, 2004 Inventor's Signature and Title Residence: City Gainesville State FL Country USA Citizenship USA **Mailing Address** 3916 S.W. 98th Drive ZIP Gainesville State FL 32608 Country I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF THIRD INVENTOR: ☐ A petition has been filed for this unsigned inventor Given Name Family Name Niklewski Paul J. (first and middle (if any)) or Surname Inventor's Signature Date Residence: City Cincinnati State OH Country USA Citizenship USA **Mailing Address** 3727 Hyde Park Drive City Cincinnati State OH ZIP 45209 Country USA

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NAME OF FOURTH INVE	ENTOR:	□Аре	etition has been	filed for this unsig	ned inventor
Given Name (first and middle [if any]	Gregory D.		Family Name or Surname	Bishop	
Inventor's Signature				Date	
Residence: City	Hamilton	State OH	Cou	ntry USA	Citizenship USA
Mailing Address	6646 Hughes Ridge Lan	e		_	
City	Hamilton	State OH	ZIP	45011	Country USA

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